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Panel Discussion on the Oxford Process on International Law
Protections in Cyberspace

Side Event during the Opening Week of the Open-ended Working Group on
security of and in the use of information and communications technologies
2021 – 2025

Opening remarks

by

Mr. Miguel de Serpa Soares

Under Secretary General for Legal Affairs and
United Nations Legal Counsel,

14 December 2021, 1:15 -2:45 pm

Distinguished Moderators, Panelists, and Colleagues,

Ladies and Gentlemen,

The world today is radically different from the one in which the Charter of the United Nations was drafted, more than 75 years ago. Today, we are more connected and interdependent than we ever were. The information and communications technologies that we now take for granted has revolutionized the way we network and communicate. With the on-going COVID-19 pandemic, our dependency on information and communication technologies has accelerated. It has allowed us to continue working to minimize the spread of COVID-19 and it has allowed us to develop new methods of work. It continues to enable us to harness different ideas and increase productivity, improving lives all over the world.



The Secretary -General, in his report on “Our Common Agenda”, described the internet as a “global public good that should benefit everyone, everywhere” , but that the “potential harms of the digital domain risk overshadowing its benefits”. The Secretary -General points to “serious and





However, from an international law perspective there remains to be open questions, and in particular, cyber-security incidents, such as the one I raised, do raise important legal questions. These include questions on the applicability of state responsibility given the actors involved; state sovereignty





binding norms of responsible State behavior can reduce risk to international peace and security and stability, but also not ed the possibility of future elaboration of additional binding obligations.

All of us here today can play an important role in the evolution of international law in this unique area. The Secretary-General has emphasized the need for a “form of multilateralism that is more networked, more inclusive and more effective in addressing twenty-first century challenges”. A global dialogue is imperative to address contemporary legal issues in the context of cybersecurity. A global dialogue between various stakeholders, including states, academics and industry experts, can enrich the discussion to generate creative solutions.

I thank the organizers for continuing to hold these discussions through the Oxford Process on International Law Protections in Cyberspace. Its unique “contextual approach”, which “examines the law as it applies to specific objects of protection”, bringing together “interdisciplinary focus” can certainly add value to the discourse.

I look forward to the discussions today.

